

Implementing the Governor's Renewable Executive Order S-14-08

Facilitating the Timely Development of Renewable Resources
by Government Regulatory and Resource Agencies

Terrence O'Brien, Deputy Director
Siting, Transmission and Environmental Protection Division
California Energy Commission

tobrien@energy.state.ca.us / 916-654-3933

www.energy.ca.gov



Energy Commission Renewable Energy Generation Project Jurisdiction

- Thermal Power Plants 50 Megawatts and Greater in Size
- Includes: Solar Thermal, Geothermal, and Biomass
- Does Not Include: Wind, Photovoltaic, Hydro, and Wave Generation



Renewable Generation Siting Jurisdiction of Other Agencies and Tribes in California

- Municipal utilities, cities/counties, tribes, and federal government agencies if project located on federal land:
 - All projects less than 50 megawatts
 - Non-thermal projects (wind, hydroelectric, solar photovoltaic) 50 megawatts or greater



Transmission Line Project Permitting Jurisdiction in California

- Municipal utilities permit their own projects and prepare the appropriate environmental document, e.g. environmental impact report (EIR), per the California Environmental Quality Act (CEQA)
- Investor owned utility (IOU) projects are permitted by the California Public Utilities Commission (CPUC)
- The Energy Commission has jurisdiction over transmission lines that connect a jurisdictional thermal power plant to the existing transmission grid, whether a stand alone transmission line or a line proposed in conjunction with a power plant application



Transmission Line Project

Permitting Jurisdiction in California

- Federal energy agencies, e.g. the Western Area Power Administration (WAPA) or the Federal Energy Regulatory Commission (FERC) can be the lead permitting agency
- Federal land use agencies, such as the Bureau of Land Management (BLM) and the U.S. Forest Service, can be the lead agencies, responsible for preparing the appropriate environmental analysis in conformance with the National Environmental Policy Act (NEPA)
- Projects proposed by merchant developers may be subject to the permitting authority of local governments, e.g. county planning departments
- There are often co-lead agencies (local, state, federal) depending on the type of project and location



Coordinating and Integrating Agency Review of Renewable Projects

In response to Executive Order S-14-08 the Energy Commission and Fish and Game formed the Renewable Energy Action Team (REAT). To streamline review of renewable projects the REAT has implemented several actions to speed project review:

- Assigning high priority to renewable energy projects and allocating specific staff resources to work on these applications
- Obtaining additional staff and resources to review renewable projects
- Established more intensive coordination among agencies through regular meetings



Coordinating and Integrating Agency Review of Renewable Projects #2

- Implemented regularly scheduled bi-weekly meetings with prospective developers and the Energy Commission, Fish & Game, BLM, and U.S. Fish and Wildlife Service (USFWS)
- The Energy Commission, Fish & Game, BLM and USFWS have signed an MOU to promote cooperation and to ensure the agencies give this work high priority. The Department of Defense will join the four above agencies as a signatory to the MOU
- The Energy Commission and BLM have an MOU to process solar projects on BLM land
- The Energy Commission and Fish & Game are preparing an MOU to fold in the Streambed Alteration Permit and Incidental Take Permit into the Commission's license



Coordinating and Integrating Agency Review of Renewable Projects #3

- Providing support to Department of Defense efforts to develop renewable energy projects on military land (e.g. Edwards AFB and Fort Irwin)
- The agencies (Energy Commission, CPUC, Fish & Game, BLM and USFWS) are all working with and providing support to the Renewable Energy Transmission Initiative (RETI)
- The same agencies are participating in the Western Renewable Energy Zone (WREZ) initiative sponsored by the Western Governor's Association



Coordinating and Integrating Agency Review of Renewable Projects #4

- The Energy Commission, Fish & Game and the CPUC are working with BLM as part of a joint federal-state interagency working group on the Solar Programmatic Environmental Impact Statement
- Developing a set of written guidelines for developers listing the issues that need to be resolved and the information that needs to be contained in future applications in order to expedite agency review
- Developing a Best Management Practice Manual (BMP) for renewable generation projects



How to Expedite the Review of Renewable Energy Projects

- Developers need to meet with the agencies before investing a lot of time and money in site selection. This includes meeting in the field. Choosing a good site or route is critical to ensuring timely review of an application
- Locate projects on previously disturbed land with no or limited biological resource value
- Locate projects in areas that have already been impacted by development, e.g. near major highways, developed areas, military facilities, etc., versus sites located in remote and/or pristine areas with few man-made disturbances and/or near protected areas such as national and state parks or wilderness areas



How to Expedite the Review of Renewable Energy Projects #2

- Select generation sites that minimize the need for new transmission
- Transmission line routes need to avoid environmentally sensitive areas and should parallel, whenever possible, existing transmission lines using existing rights of way
- Minimize water use -- a critical issue in most of California, especially the Mojave and Colorado Deserts where ground water basins are subject to significant draw down
- Avoid, whenever possible, areas that contain federal and state listed rare, threatened and endangered species, and species of special concern



How to Expedite the Review of Renewable Energy Projects #3

- Developers should meet with stakeholders as early as possible to solicit ways to improve the project and to lessen or eliminate issues of concern
- Submit a complete application
- Designate transmission corridor(s) to access multiple projects

